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## Fax INTELLECTUAL PROPERTY LAW

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To:	U.S. Patent & Trademark Office	From:	Molly L. Sauter
Attn:	Michael J. Hayes - Art Unit 3763	Client:	1372.17
Fax:	(703) 872-9302	Pages:	18 including coversheet
Phone:	(703) 305-5873	Date:	July 8, 2004
Re:	USSN: 09/772,561	CC:	

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Practitioner's Docket No.: 1372.17

PATENTS JUL 08 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: Mark J. Jaroszeski et al.

Serial No.: 09/772,561

Filing Date: 01/30/2001

For: Non-Penetrating Electroporation Device  
and Method

Examiner: Hayes, Michael J.

Art Unit: 3763

Confirmation No.: 3005

Faxed to Technology Center 3700 at (703) 872-9302  
Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

1. Transmitted herewith is a response for this application.

**STATUS**

2. Applicant is an independent inventor. A statement was already filed.

**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

Very respectfully,

SMITH & HOPEN

By: Molly L. Sauter  
Molly L. Sauter  
15950 Bay Vista Drive, Suite 220  
Clearwater, FL 33760  
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Dated: July 8, 2004

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Attorneys for Applicant

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CERTIFICATE OF FACSIMILE TRANSMISSION  
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 3763, Attn.: Michael J. Hayes, (703) 872-9302 on July 8, 2004.

Dated: July 8, 2004

Charlene Morgan  
Charlene Morgan